



Australians for Animals P.O. Box 673, Byron Bay. NSW  
2481 Telephone: 61 2 66803674 Fax: 61 2 66803612  
Email: [suearnold@linknet.com.au](mailto:suearnold@linknet.com.au) Website:  
[Australiansforanimals.org.au](http://Australiansforanimals.org.au) Reg. Charity No. CFN 12644

Steve Stone,  
NMFS Northwest Region,  
1201 NE Lloyd Blvd,  
Suite 1100,  
Portland,  
OR 97232  
Fax: 503 230 5441

Dear Steve,

On behalf of Australians for Animals Int. I formally request an extension of the comment period for the Makah DEIS from July 8 for at least a further six weeks.

The DEIS document is 900 pages long, no doubt it has taken months and months if not years to put together. To properly comment on such an extensive document in four weeks is not possible. Given the importance of this issue, I believe NMFS must accede to this request.

With regards,

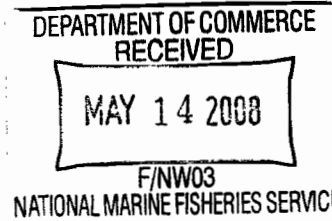
Sue Arnold  
Co-ordinator  
Australians for Animals Int.  
Byron Bay. NSW Australia

May 22, 2008

2/ that are not endangered & who  
are not controlled; then if only  
1 whale/per year is allowed within  
the NW area to be used by the whole  
tribe as ceremonial renewal and the  
whale be used by the tribe and not  
wasted.

It is not like whales have  
become overly abundant. Also we  
as U.S. citizens can't control what other  
countries do to these animals. They  
do migrate out of the Makah waters.  
How many Makah people are  
we talking about? NOT those that are  
only 10% Native American.

Sincerely  
Spencer Aulaw.



Attn: 2008 Makah DEIS

Steve Stone

NOAA Fisheries NW Region

PO 584

Olalla WA. 98359

May 11, 2008

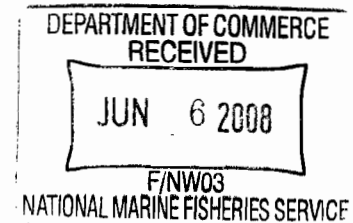
I believe that we need to do more  
to protect our seas and marine life  
for our world well-being. (like New Zealand's  
approach)

I agree with the MMPA of 1994  
totally. I also believe that we  
are stewards and the Makah are  
stewards of our culture. We made  
the treaty in good faith. - at that time  
life was very different for the NW Indian.  
(No Casino's, unlimited Snake Shops,  
jewelry shops etc.) I agree that  
subsistence as in Alaska natives is  
right. So if the gray whale is on the  
border of endangered & they feed on seals



# ANIMAL WELFARE INSTITUTE

PO Box 3650 Washington, DC 20027-0150 [www.awionline.org](http://www.awionline.org)  
telephone: (703) 836-4300 facsimile: (703) 836-0400



May 30, 2008

## **BY ELECTRONIC AND REGULAR MAIL**

Ms. Donna Darm, Assistant Regional Administrator  
Protected Resources Division  
National Marine Fisheries Service  
7600 Sand Point Way, NE  
Seattle, WA 98115

Dear Ms. Darm:

On behalf of the combined nationwide membership of the undersigned organizations, the Animal Welfare Institute respectfully requests a 90 day extension in the deadline for receipt of public comments on the Draft Environmental Impact Statement for Proposed Authorization of the Makah Whale Hunt (hereafter "DEIS"). This extension, as discussed in more detail below, is necessary to facilitate public review of the DEIS and participation in the associated decision-making process. If agreed to by the National Marine Fisheries Service, a 90-day extension would result in a new public comment deadline of Wednesday, October 8, 2008.

The undersigned organizations believe a 90 day extension must be granted for the following reasons:

1. The length of the DEIS (909 pages) requires additional time to ensure that it can be carefully reviewed, its evidence analyzed, and its strengths and/or weaknesses identified. Extending the comment deadline by 90-days will both facilitate the public's preparation of accurate and substantive comments and, in turn, improve the decision-making process by ensuring that agency decision-makers have the highest quality information, including public comments, available to them on which to base their decision.

2. The DEIS contains a 74-page literature cited section including references to over 700 studies or other documents. While some of these references are from easily accessible journals and/or are available through listed URLs, many others are contained in obscure journals and/or are agency documents for which no URLs are listed and/or that may not be as easily accessible from the identified agencies. The requested 90-day extension is, therefore, necessary to provide the public, including the undersigned organizations, an opportunity to obtain and review the various studies/documents necessary to facilitate the preparation of substantive and informed public comment.

3. Public review of the DEIS is complicated by the subject matter and, specifically, the legal issues involved including the 1855 treaty, treaty abrogation issues, the Marine Mammal Protection Act, the Whaling Convention Act, the International Convention for the Regulation of Whaling, and the relevant statutes, regulations, and policies pertinent to the overlapping federal/state/tribal authorities involved in this case (i.e., National Park Service, U.S. Fish and Wildlife Service, U.S. Coast Guard, State of Washington, National Marine Fisheries Service). In order to ensure that the public has sufficient time to access and review the many cited legal opinions, the relevant statutes, regulations, and policies, and, if necessary, the legislative history of any statutes that are of importance in this analysis and to enable the public to organize such information into informed and substantive comments, the request for a 90-day extension in the comment deadline must be granted.

4. The current comment period which began on May 9 and runs through July 8 encompasses the entirety of the upcoming 60<sup>th</sup> International Whaling Commission meeting in Santiago, Chile which begins on June 1 and ends on June 27. While not all of the undersigned organizations will send representatives to IWC/60, many will. Moreover, in many cases those individuals who will be attending all or a portion of IWC/60 are the very individuals tasked with reviewing the DEIS and preparing substantive comments on behalf of their organizations. Considering that little time will be available to these individuals to review the DEIS, analyze its contents, engage in requisite research, and/or prepare substantive comments during the IWC meeting, the ability of these individuals and their respective organizations to participate in this important decision-making process will be compromised. This same scenario may also affect the ability of other interested stakeholders, like the Makah tribe and other aboriginal groups who will be represented at IWC/60 to prepare and submit substantive comments on the DEIS. To ensure that all interested stakeholders have an equal opportunity to review the DEIS and participate in the decision-making process, NMFS must extend the comment deadline by, preferably, 90-days.

5. The ability of the public to comment on a document prepared pursuant to the National Environmental Policy Act (NEPA) is a cornerstone of the decision-making process required under that statute. Regulations implementing NEPA promulgated by the Council on Environmental Quality which each federal agency must follow specify that


“public scrutiny” is “essential to implementing NEPA.” 40 CFR §1500.1(b). Moreover, the regulations explicitly mandate that federal agencies “encourage and facilitate public involvement in decisions which affect the quality of the human environment.” *Id.* at §1500.2(d). In order to meet these requirements and to ensure that the public, including those who support or oppose the proposed action in the DEIS, have a sufficient opportunity to participate in this NEPA process, NMFS must extend the comment deadline by, preferably, 90-days.

6. There is no compelling reason not to extend the comment deadline by 90-days as requested. Considering that the Makah tribe has “legally” killed a single whale over a time span of approximately 80 years, there is no urgency to expedite the completion of the NEPA and MMPA waiver processes. While some members of the Makah tribe may desire for NMFS to make a decision on its request for an MMPA waiver as rapidly as possible, there is no scientific, cultural, nutritional, or other reason to expedite this decision-making process. Furthermore, as the NEPA process is only one step in a multi-step process needed to satisfy the requirements imposed in *Anderson v. Evans*, there is no urgency to complete the NEPA process. Similarly, though some of the undersigned organizations strongly opposed the efforts by the United States to secure a gray whale quota (in conjunction with the Russian Federation) at IWC/59 in 2007 as premature, a quota was granted and is valid until 2012, removing any claim that NMFS must complete the pending processes urgently in order to secure IWC approval for a quota. For these reasons and considering the controversial nature of the proposed action, NMFS must proceed cautiously and deliberately through this multi-step decision-making process to ensure that all interested stakeholders have sufficient opportunity to fully participate in the process and to facilitate the submission of informed and substantive public comment. A decision to extend the comment deadline by 90-days will reflect a cautious approach that may ultimately benefit NMFS by providing its decision-makers with as much high-quality information and analysis upon which a decision can be based.

For the foregoing reasons, the undersigned organizations respectfully request that NMFS agree to a 90-day extension in the deadline for receipt of public comment on the DEIS. While the undersigned organizations believe that 90-days is the minimum extension that should be considered given the specific facts and circumstances relevant to this DEIS, they would reluctantly accept a 60-day extension if NMFS is unwilling to agree to the requested 90-day extension in the comment deadline.

Thank you in advance for considering this request. Should you have any questions about this matter, please contact D.J. Schubert at (609-601-2875) or by e-mail at [dj@awionline.org](mailto:dj@awionline.org). Any correspondence sent in response to this request should be sent to D.J. Schubert, Animal Welfare Institute, 3121-D Fire Road, PMB #327, Egg Harbor Township, NJ, 08234. AWI will ensure that any correspondence or other communications relevant to this request is expeditiously forwarded to all of the undersigned organizations.

Sincerely,

A handwritten signature in dark ink, appearing to read 'D.J. Schubert', with a stylized, flowing script.

D.J. Schubert  
Wildlife Biologist

On behalf of:

Australians for Animals  
California Gray Whale Coalition  
Cetacean Society International  
Friends of the Gray Whale  
The Humane Society of the United States  
International Marine Mammal Project of Earth Island Institute  
Peninsula Citizens for the Protection of Whales  
Whale and Dolphin Conservation Society  
Whaleman Foundation

ATTN Donna Darm



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
PROGRAM PLANNING AND INTEGRATION  
Silver Spring, Maryland 20910

APR 28 2008

Dear Reviewer:

In accordance with provisions of the National Environmental Policy Act (NEPA), we enclose for your review the Draft Environmental Impact Statement (DEIS) for Proposed Authorization of the Makah Whale Hunt. The document is also accessible electronically through the NMFS Northwest Region's website at <http://www.nwr.noaa.gov/Marine-Mammals/Whales-Dolphins-Porpoise/Gray-Whales/>.

The action considered in this DEIS concerns the Makah Indian Tribe's February 2005 request to resume limited hunting of eastern North Pacific (ENP) gray whales (*Eschrichtius robustus*) in the coastal portion of the Tribe's usual and accustomed fishing grounds (U&A), off the coast of Washington State, for ceremonial and subsistence purposes. The Tribe's proposed action stems from the 1855 Treaty of Neah Bay, which expressly secures the Makah Tribe's right to hunt whales. To exercise that right, however, the Makah must obtain authorization from the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) under the Marine Mammal Protection Act and the Whaling Convention Act.

This DEIS, prepared pursuant to NEPA, considers various alternatives to the Tribe's proposed action. To develop the full range of action alternatives - five in total - NMFS considered the principal components associated with a hunt, including: the time when whale hunting would occur; the area where whale hunting would occur; the annual and five-year limits on the number of whales harvested, struck, and struck and lost; cessation of whale hunting if a predetermined number of identified whales (i.e., included in a photographic catalog of whales from the Pacific Coast Feeding Aggregation area) were harvested; and the method of hunting. NMFS developed these alternatives with input from NMFS staff, the Makah Tribe, the cooperating agency (i.e., Bureau of Indian Affairs), and oral and written comments from the public.

Written comments on this DEIS should be submitted through mail, fax, or electronic mail to the Responsible Program Official identified below. Written comments submitted during the agency's 60-day public comment period must be received by July 8, 2008. When submitting fax or email comments include the following document identifier in the comment subject line: 2008 Makah DEIS.

Responsible Program Official: Donna Darm  
Assistant Regional Administrator,  
Protected Resources Division  
National Marine Fisheries Service  
7600 Sand Point Way NE  
Seattle, Washington 98115  
Phone 206-526-6150  
Fax 503-230-5441  
[MakahDEIS.nwr@noaa.gov](mailto:MakahDEIS.nwr@noaa.gov)

Sincerely,

Rodney F. Weiher, Ph.D.  
NOAA NEPA Coordinator

Donna - the document  
is 900 pages - We need a  
90 day extension to  
prepare review intelligently.

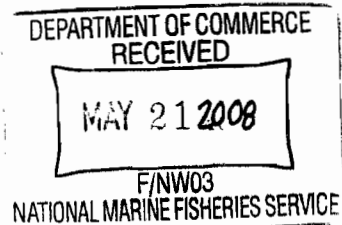
Enclosure

Sincerely,

PO Box 183  
Sequim, WA 98382

Mary L Bee





**RE: 2008 MAKAH DEIS**

**17 MAY 08**

**We write this with considerably less than the authority of a practicing or retired attorney, much less a judge.**

**Our understanding is that when Federal laws and Indian treaty rights are in conflict, Federal laws must (always) prevail.**

**These mammals are currently protected by the majesty and authority of U.S. Federal Law: The Marine Mammal Protection Act. A subsequent mandate by the 9<sup>th</sup> Circuit Court has ordered The National Marine Fisheries Service "to examine the broad effects of a whale hunt" - not ask the public to comment on various conditions of hunting, or no hunting. My understanding is that this is strictly a matter of Federal Law, not popularity contest or straw vote by those motivated to respond.**

**We don't know that the Mammal Protection Act has been amended or rescinded.**

**Again, we emphasize: this is fundamentally an issue of Federal Law, not a contrived or programmatic political process exercise.**

**The recent "deferred prosecution" for five tribal members who illegally killed a grey whale, in a particularly inhumane way, is a current example of political process judgment, at the tribal level. The press release on this simply states that "Chief Tribal Judge Stanley Myers said the charges will be dropped after a year if the five abide by conditions to be set June 30 by a Federal Court in Tacoma". . . So much for tribal judgment on this matter.**

**None of us should have any delusions or illusions about where this is going, irrespective of admitted wrongdoing and Federal Statutes regarding illegality.**

**We are opposed to administratively changing the prohibition regarding whale hunts and injuring or killing them, humanely or inhumanely. We do request that our letter be made part of the official record in this matter.**

**Sincerely,**

**Don Bidwell, M.D.; Col. USAFR (ret); Board Certified radiologist; Flight Surgeon.**

**Sharon Bidwell, recent Past president, American Association of Univ. Women, Lake Washington Branch; RIT Graduate with High Honors and chosen the Outstanding Adult Scholar of her class.**



*ATTN: 2008 Makah DEIS*

**Don Boyd  
1815 West 10th  
Port Angeles WA.98363**

Concerning the whale hunt that the Makah tribe is proposing.

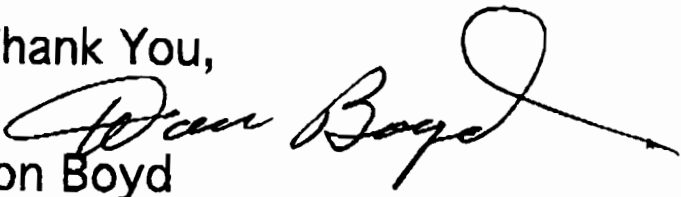
This is crazy !! I have lived on the peninsula most of my 65 years, and have lived around and gone to school with the tribe members, they have no more right to hunt whales than I do. In fact with my European heritage, I probably have MORE rights to the whales, seeing that my ancestors were here long before the indians. Sounds nuts doesn't it ?? I am making the point that reviving an age old heritage is something few Makah's give a damn about, and the few that do, are driven by getting there name and pictures in the paper more than reviving history. It is a damn shame that a whale has to die in order to give bragging rights, at the tavern, (not wigwam) to a few that have nothing to contribute to there tribe or our community other than a dead whale that no one eats !! Guaranteed, if no newspaper covered the event, it would stop in a few months.

If all reason goes away in this endeavor, at LEAST

*503-230-5441*

make the hunt proceed as in the 1800's with hand made weapons and dug out canoes - not with 200 horse power out boards and 50 caliber rifles - If they are sincere in there endeavor to relive the hunts of there ancestors- make them do it in the manner of there ancestors - Guaranteed !! If this were to happen, there would be no further discussion of this matter.

Thank You,

A handwritten signature in cursive script, appearing to read "Don Boyd", with a long horizontal stroke extending to the right.

Don Boyd

1815 West 10th

Port Angeles WA. 98363

Mon. June 23 '08

Steve Stone

NMFS Northwest Region

1201 N.E. Lloyd Blvd, Suite 1100

Portland OR 97232

Dear Mr. Stone,

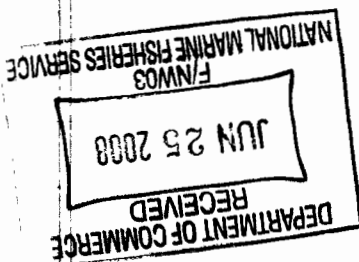
That "Makah Gray-Whale Hunt" was a sad farce. The "hunters," helped + babied by our Coast Guard, acted throughout as if it were a fraternity stunt. When they danced on the body of the female whale who'd learned to trust human beings, I'm sure I wasn't the only one who felt sick to my stomach.

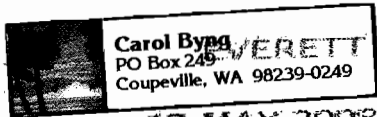
You can't be considering allowing this ever to happen again. You can't.

*Diane Broughton*



Diane Broughton  
PO Box 6124  
Bellingham, WA 98227-6124





Carol Byng  
PO Box 249  
Coupeville, WA 98239-0249

EVERETT WA 982

13 MAY 2008 PM 4 T

LEAVE the Whales ALONE.  
the MAKAHs SHOULD  
offer to Change the  
Treaty - REAL MEN Don't  
Need to Kill WHALES -

Carol & Hamm

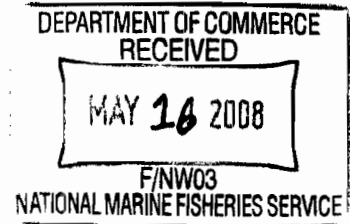
Bing  
PO Box 249  
Coupeville 98239



ADDRESS

Steve Stone  
NOAA Fisheries  
N.W. Region  
1201 N.E. Lloyd Blvd  
Ste. 1100  
Portland, OR  
97232

Steve Stone  
NOAA Fisheries Northwest Region  
1201 N/E. Lloyd Blvd. Ste. 1100  
Portland, OR 97232



Re: Makah Whaling Plan

Position: Against Whaling by Makah Tribe

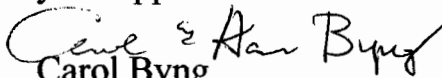
Dear Tribal members and NOAA Staff,

My ancestors sacrificed sheep and goats, and later bulls, to the Gods/God in exchange for a successful hunt of game.

In some cultures around the world there were human sacrifices to ensure safety and prosperity for the tribe.

It is time for the Makahs to enter the 21<sup>st</sup> Century and shed the yoke of superstition. To kill an innocent whale to boost your courage is insulting to the rest of the world and to the men of the Makah Tribe.

If you want to be on an equal footing with the whales, take a camera instead of a weapon. See how close you can get and photograph its eye. But honor your opponent. Leave the whales alone.

  
Carol Byng  
P.O.Box 249  
Coupeville, WA 98239

20 May 2008

Steve Stone  
NOAA Fisheries Northwest Region  
1201 N.E. Lloyd Blvd.  
Suite 1100  
Portland, Or. 97232

Subject: 2008 Makah Deis.

Dear Mr. Stone:

Because of the ban on killing of Gray Whales, the whales are making a come back. During this time I have not heard of one Makah Indian dying of starvation. In fact I have not seen any evidence that they ate the last whale they killed.

A hundred and fifty years ago the Indians killed whales for subsistence. That is no longer the case for today.

There is no law that I know of that stops any Indian tribe from having a song and dance for any reason.

The Gray Whales are in danger from the pollution of the ocean they live in. To add hunting of the Gray Whales just puts another factor in the equation to speed up their extinction. Global Warming is going to be a factor in the Gray Whale population of the future. Now is not the time to start killing whales just to have a song and dance.

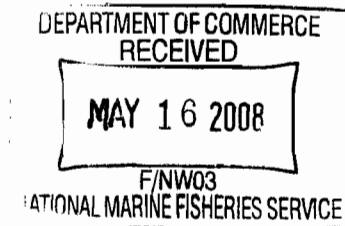
Indians keep saying they are stewards of the land, well they need to prove it.

Respectfully yours,



Neil Chance  
3601 S. 284<sup>th</sup> Pl.  
Auburn, Wa. 98001

**Neal & Valerie Cholvin**  
1910 Edgemont Place West  
Seattle, WA 98199  
206-283-8643



May 13, 2008

Steve Stone  
NOAA Fisheries Northwest Region  
1201 NE Lloyd Blvd #1100  
Portland, OR 97232

Dear Mr. Stone:

We strongly oppose allowing the Makah Tribe to resume hunting Gray Whales.

The case for subsistence hunting is weak in that hardship has not been proven for all the years that they have not undertaken hunting whales.

They would be seen as understanding and compassionate for the endangered, sentient Gray Whale species if the Tribe would initiate a new ceremony that does not involve killing a whale.

These sensitive, intelligent Gray Whales deserve to have the right of freedom to live their lives and to feed, reproduce and roam in their sea.

They can't defend their territory from encroachment and pollution, nor sign treaties.

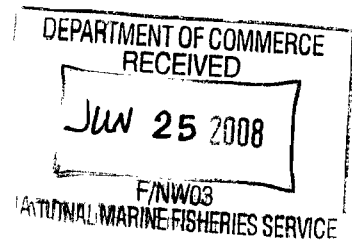
We need to protect them.

Respectfully,

*Neal R. Cholvin*  
Neal R. Cholvin, DVM, PhD  
Physiology

*Valerie P. Cholvin*  
Valerie P. Cholvin, MS  
Water Resources

June 17, 2008



Mr. Steve Stone  
National Marine Fisheries Service  
1201 NE Lloyd Blvd  
#1100  
Portland, OR 97232

**RE: Comments on the Draft Environmental Impact Statement for Proposed  
Authorization of the Makah Whale Hunt**

Dear Mr. Stone:

Thank you for the opportunity to comment on the proposed Makah whale hunt. I fully support the Tribe's request for Alternative 2 in the Draft EIS. I strongly support native treaty rights and especially the Makah right to harvest whales.

I hope that you will proceed with all due haste to approve this request and grant the Tribe their authorization.

Sincerely,

A handwritten signature in black ink, appearing to be "Rick E Marks".

Rick E Marks  
11988 Sentinel Point Ct  
Reston, VA 20191-4806



Mr. Steve Stone  
National Marine Fisheries Service  
1201 NE Lloyd Blvd  
#1100  
Portland, OR 97232

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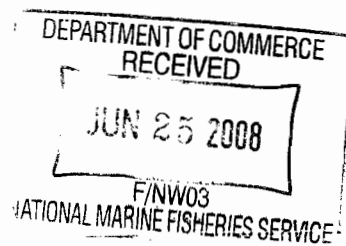


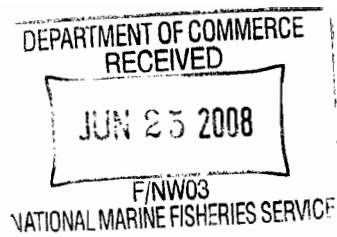
B.S. MARKS

1215 ANCHORS WAY #58

VENTURA, CA 93001

6/20/08





Mr. Steve Stone  
National Marine Fisheries Service  
1201 NE Lloyd Blvd  
#1100  
Portland, OR 97232

**RE: Comments on the Draft Environmental Impact Statement for Proposed  
Authorization of the Makah Whale Hunt**

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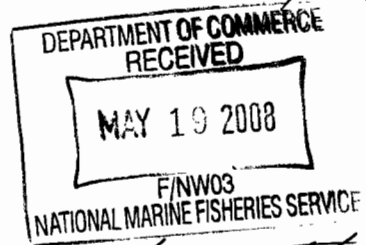
I hope that you will proceed with all due haste to approve this request and grant the Tribe their authorization.

Sincerely,

Maria Harris  
1215 Anchors Way #18  
Ventura Ca. 93001  
6/20/08

Re: Makah and whaling

5/15/08



Dear Mr. Stone,

I am writing to urge that the efforts to kill whales be revoked.

The Makah and other tribes have been exploited and damaged and this may be on-going, but the skills of the 19<sup>th</sup> century have no place in the 21<sup>st</sup> century.

As skill on the football field does not equate to future success, whaling has no attendant merit.

Use of the boats may be a skill to practice but the elder of previous hunts indicated that the whale meat remained in the freezer until it was no longer viable.

The whales are protected and that should stand before all other considerations.

The Indian population is devasted by high blood pressure and diabetes. These health issues provoke a concern that perhaps there are other paths to wellness.

The organic farming might be a preparation for life that would sustain and revitalize the culture.

(over)

The current "right" to kill whales aggravated a distrust for the Makah and could be revisited with other pursuits that include more main-stream thinking in 2008.

It is my hope that perpetuating the environment and regard for the changes that affect us all <sup>will</sup> be sustained in place of past practices that were grounded in the past.

Sincerely,  
Renée Mc Iver

Sharon B Moore

121 E. Alder St - Port Ludlow 98365

360-437-9428

Whales are not indigenous  
to the WA west coast. Native peoples  
diets are ~~enriched~~ <sup>enriched</sup> by those <sup>Fish</sup> that  
are; Salmon, cod-halibut. Fishing  
dependent on these Local Fish  
should be supported in return  
For a whale-international  
treaty. I F Makah do not  
support such a Fisheries  
treaty - other tribes would  
I expect most tribal elders  
of the Makah would support  
such a treaty.

Thank you for  
giving this a consideration

Sharon Moore

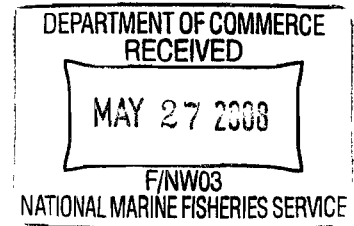
DEPARTMENT OF COMMERCE  
RECEIVED

JUN 25 2008

F/NW03  
NATIONAL MARINE FISHERIES SERVICE

May 21, 2008

Steve Stone  
NOAA Fisheries Northwest Region  
1201 NE Lloyd Blvd., Suite 1100  
Portland OR 97232



Subject: Taking of Whales

Dear Sir,

I must strongly object to allowing ANY tribe or group to kill a whale. I will list my reasons for objecting

1--Whales are Gods creatures.

2--Times and situations change. Yes, in 1855 there were many many whales, but times change.

3--If for religious reasons, other fish could be substituted just as churches have changed to grape juice instead of wine.

4--My biggest objection is that the last one taken in 1999 was left to rot---they didn't even eat it. That sickens me.

5--Strange that after 70 years, the tribe suddenly becomes very religious. It seems there are only a few rabble rousers that are pushing this.

6--All of society has to adjust to the changing ways of our world and the Indian tribes are no different, they are Americans and must abide by our laws.

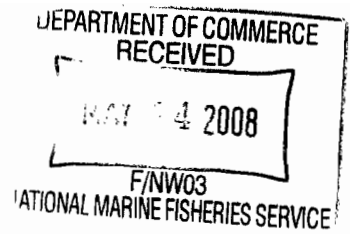
Please consider all of the above. I may not have expressed it well, but my feelings run deep.

Sincerely,

A handwritten signature in cursive script that reads "Janice Pierce".

Janice Pierce  
PO Box 552  
Hobart, WA 98025

DEAR STEVE STONE:



thanks so much for including public opinion. I just don't understand how we ever got to the point where the whale killing was sanctioned. If you follow international whaling, the Makah "exception" had terrible ripple effects all through the world. end result: more whales than ever being hunted. How proud am I to live in the state of Washington that sponsored the whole thing.

the ocean is polluted with every known chemical and physical relentless barriers and threats of freighters and cruisers. It seems like a miracle that they continue to exist at all.

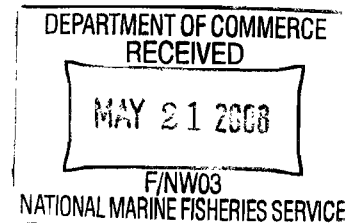
I cannot any treaty that should be honored that includes killing whales. It's like the bible (Deuteronomy) suggesting that sons be stoned for disobedience. things change. mostly with the environment, things get worse and worse for the wild life.

PLEASE take the opportunity to protect these beings.

DO YOUR PART!

thanks dr nancy Roberts 14546 greenwood ave N seattle wa 98133

5-16-08



I have lived and worked among the Makah and Quileute people for over 30 years. I am very supportive of their treaty rights. I do want them to be able to hunt whales but I want that experience to remain sacred and special so I would like the numbers of whales taken to remain very low. If ever there comes a time when people get complacent and the meat is allowed to be wasted or spoil, the public would rise up against the whole idea.

I think the hunts should be carefully monitored as was the first one which was such a great success. Taking a whale or two per year would be perfect.

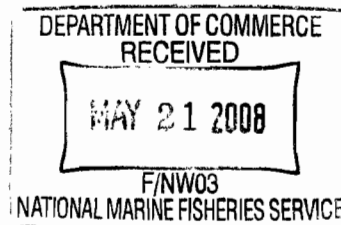
I would not like my name attached to my comments in any publication.

Very sincerely,

A handwritten signature in cursive script that reads "Susan Shane".

PO Box 153  
Susan Shane, Forks WA





From: Sharon Strobe <sestrobe@mac.com>  
Subject: **2008 Makah DEIS**  
Date: May 10, 2008 2:22:46 PM PDT  
To: Makah DEIS.nwr@noaa.gov

Dear Donna Darm:

Thankyou for sending a disk of the DRAFT Environmental Impact Statement for the Proposed Makah Whale Hunt. I have read it and appreciate the document.

In reviewing the various alternatives, I will have to go with ALTERNATIVE ONE, which essentially does NOT ALLOW ANY HUNTING OF WHALES BY THE MAKAH TRIBE.

Although I can appreciate the position of SOME of the tribal members (not all), there is more than one culture to consider here. Besides that of the Makahs, there is also the culture of a more humane and modern society that is sincerely troubled by the taking of whales for reasons that do not seem to me to be in any way essential. Attempting to revive the whale hunt is NOT going to bring back the "Old times" for native people. The reality is that this is a different time and place with very different values. I believe the tribe would do themselves a great service to face this reality and find other ways to honor their past, rather than fruitlessly trying to revive it with a whale hunt. Certainly the idea of eating whale meat is NOT going to revive any kind of robust health, when many other factors are at work in the current trends toward obesity and disease. The method of hunting and the injured whales that are not actually taken make the hunt even more distasteful.

Besides the cultures of the Makahs and many of the other people who live in the Northwest and have a very different set of values, there is also the culture of the whales themselves. Biologists are pretty much in agreement that indeed whales are intelligent beings who do share a common culture.

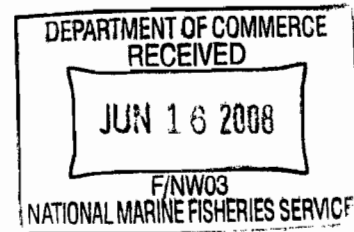
I cannot find any truly good reason to allow this hunt and would like to as gently as possible communicate to the tribe, that the hunt is over and will not be allowed in this day. Perhaps there are other ways to compensate the tribe that I could support.

Sincerely,  
SHARON STROBLE  
2246 12TH AVE WEST  
SEATTLE, WASH. 98119

*please make my comments A part of  
the hearing record.*

*(I attempted to send this via email, but  
it was returned saying it could not be  
delivered at the address; Makah DEIS.nwr@noaa.gov.)*

11 June 2008



To: Steve Stone  
NOAA Fisheries Northwest Region  
1201 NE Lloyd Blvd, Suite 1100  
Portland OR 97232

Copy: Honorable Patty Murray  
Honorable Maria Cantwell  
Governor Christine Gregoire

Subj: Whaling by the Makah Tribe  
2008 Makah DEIS

This letter represents my objection to the proposal by the Makah Tribe to hunt and kill gray whales or any other whale they may suggest is their right to kill as result of a long cultural tradition and a treaty. The Makah Tribe's desire to kill up to 20 gray whales at a rate of five whales every year for four years is a preposterous request as would be a request to kill even one gray whale.

In 1999 this tribe killed a gray whale, their first kill I believe in about 70 years. At that time I wrote letters in opposition to the Tribe's stand on their rights in this arena. I believe they have no rights to kill a whale in today's world.

I have not read their 900 page Environmental-Impact Statement. Over the years I have read a few EIS's prepared by developers and found that to support their objectives they often made shallow, even devious statements – some outright lies. I can not imagine that 900 pages are required to justify whaling by an Indian tribe. Such a document will require a thorough analysis to insure that it substantially reflects the Makah Tribe's place in today's world and if it does I do not believe they can justify that a whaling tradition they relied upon many years ago is germane to the Tribe's existence in the United States in this century.

More important than statements made in an EIS are the changes mankind has experienced, for example, in at least the past 200 years. In the distant past the Indians, and particularly in this case the Makah Tribe, lived off the land. They lived in handmade structures using poles cut from trees and animal skins. A medicine-man provided medical care. They fought with nearby tribes to insure their survival. They killed deer, bear and other animals for food. They constructed a large canoe, rowed by Braves, found a whale at sea, killed it with great difficulty using spears made from tree branches, towed the whale to shore by rowing their canoe. The Tribe cut up the whale for food because at that time the nutrition received was essential to the survival of their people. At that time the Makah's were real Indians.

Today the Makah's are not the Indians of Yore. The world has changed. In the early 1800's when the Makah's needed to kill a whale for their existence the blacks in America were slaves. Today it appears that an African-American may be our next President. Mankind moves on – we don't live in the past. What would be the reaction of the members of the United Nations if the Italians restored the Coliseum and reinstated Gladiator "games" for the entertainment of the spectators under the guise of an ancient cultural tradition?

When today's Makah's kill a whale their large canoe is towed by a motor boat to the fishing area. They kill the whale with a .50 caliber rifle – more than one shot may be required. Any spears or harpoons are steel and are a secondary weapon in the killing. After killing the whale the large canoe and whale are towed to shore by motor boats. The dead whale is pulled up on the beach by a tractor. This is how they killed and acquired the whale in 1999 and killed their most recent victim. Tell me, where in this scenario is the ancient culture and tradition of a proud people – there is none.

Today the Makah Tribe are not the Indians of past – they are Americans. My ancestors lived in Norway – they were pirates and plundered Europe but I am not a Viking – I am an American. I am sure many of the members of the Makah Tribe do not have an Indian name and would be unable to survive off the land in the manner of their ancestors. Keith Johnson, President of the Makah Whaling Commission, certainly has an American name. Members of the Tribe no longer live as the Indians did in the past. They buy food and clothes in stores, any alcoholic beverages come from State Controlled Stores, children are educated in an established school system, sickness is handled in hospitals. I am certain most of these people have a driver's license and a Social Security Number. Their homes are lit by electricity and heated by furnaces. Many Tribes operate casinos today – the financial benefit from this endeavor certainly lifts the Indian people a long way from the lifestyle their ancient traditions would enable them to experience.

If the Makah Tribe desires to keep the whaling culture and tradition alive through songs and dances that is an excellent portrayal of their past bravery and skill and I support this action fully, but I do not support a return to whale killing.

If a treaty permitting whale killing is still valid the tribe should be asked to accept a termination of the treaty in view of world changes which have essentially voided the applicability of the treaty. If the Makah's do not concur with this approach the terms of the treaty should be abrogated by Presidential Decree.

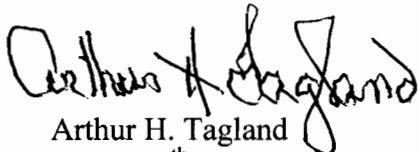
In my opinion the members of the Makah Tribe fighting for the right to kill whales are mavericks, outside the main-stream of today's humanity, and if they will not accept where our nation's trends are going they should be confronted directly and dealt with harshly. Harmony between all the peoples of the United States must certainly be our goal. Adherence to achieving our main-stream objectives must be at the forefront of our national will. We as a nation need higher ideals than the Makah's profess.

I have been told that some Makah's have said that to ameliorate some of the opposition to their proposal to kill whales they would only kill migrating hales and would not harm those in residence. This reminds one of the felon out on parole who again stood before a judge charged with assault and robbery of an individual at Pikes Place Market. He plead for clemency because he never violated a resident of Seattle – he only attacked tourists.

It is my hope that in the resolution of this matter consideration be given to the substance of this letter. I request that a copy of this letter be provided to the Administrative Law Judge charged with considering whether or not the tribe should be granted a waiver from the Marine Mammal Protection Act to allow the hunt. If the Makah's are allowed to hunt whales will such a decision open the door to similar requests from other tribes?

It is also my hope that Senator's Murray and Cantwell and Governor Gregoire share my opinions and will express same in this matter. Most certainly their opinion would have considerable weight in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Arthur H. Tagland". The signature is stylized with a large, looped "A" and a long, sweeping underline.

Arthur H. Tagland  
4019 220<sup>th</sup> Place SE  
Issaquah WA 98029

6/21/08

Stan Stone  
NMFS N.W. Region  
1201 N.E. Lloyd Blvd.  
H 1100  
Portland, Ore. 97232

Dear Mr. Stone:

According to today's Seattle  
Times newspaper the Makah  
Indian Tribe would like to  
again hunt gray whales.

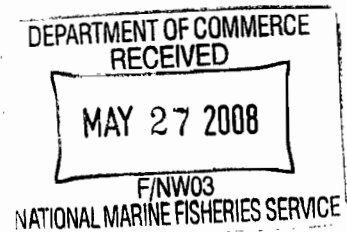
I am totally against it.

It is cruel - unnecessary  
& a waste. - What can  
they possibly do with all that  
whale meat/blubber? ---

According to "hearsay" -- they  
don't even have enough  
refrigeration facilities to store  
it & most goes to waste.  
It makes me sick!!!

Jade Temireault  
16323 NE 145<sup>th</sup> St.  
Woodinville, Wa 98022

Robert L. Wiley  
4211 Holly Lane  
Mercer Island, WA 98040  
206 232-6465  
email- [mwiley2930@msn.com](mailto:mwiley2930@msn.com)



May 20, 2008

Mr. Steve Stone  
NOAA Fisheries Northwest Region  
1201 NE Lloyd Blvd, Suite 1100  
Portland, OR. 97232

Re: Makah Whale-Hunting Request

Dear Mr. Stone,

I have read the Draft EIS and other materials included in the May 9, 2008 release from your office and wish to submit the following comments. I am also included a column written by Judith Pine as guest columnist in the May 20, 2008 Seattle P-I. My letter and feelings basically say *amen* to her position.

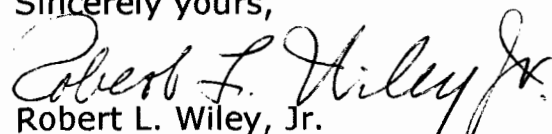
The Executive Summary of the EIS says:

*"The Tribe's proposed action stems from the 1855 Treaty of Neah Bay, which expressly secures the Makah Tribe's right to hunt whales."*

The United States government has abrogated many treaties with the Indians but this, and probably many earlier ones, seem so clear cut that it is difficult to understand why there is any question about honoring it and allowing the Makah's to hunt on their "usual and accustomed fishing grounds." I strongly support their rights and urge NOAA to act in a manner that will fully honor our government's valid treaty with the Makah tribe.

The Makah's well reasoned request of February 11, 2008 voluntarily sets limits on their treaty rights which seem very reasonable and generous. I feel that the alternative selected by NOAA should clearly be the one that most nearly accepts and honors this offer.

Sincerely yours,

  
Robert L. Wiley, Jr.

cc: Ben Johnson, Jr., Chairman, Makah Tribal Council

SEATTLE P-1 MAY 20, 2008

# Whaling decision not others' business

GUEST COLUMNIST

JUDITH PINE

It seems to me that some folks are responding emotionally, rather than rationally, to the recent call for public input to the draft environmental impact statement on the resumption of whale hunting by the Makah people. Three of the arguments are especially flawed and fall apart when you try to make them about some other group or some other animal.

Some opponents argue that Makah people were not necessarily unanimously in favor of resuming whale hunting. Although that may be true, it does not authorize outsiders to interfere in the decision. The Democratic Party is deeply divided over its choice of candidate for the upcoming presidential election. This in no way authorizes the Republicans (or the British, for that matter) to make a choice for the Democrats.

Others argue that gray whales are thinking, feeling creatures and people ought not to eat them. If, like many native peoples including the Makah, you have traditionally assumed that you are part of a web of life within which thinking, feeling

creatures eat other thinking, feeling creatures, that argument holds no water.

As a member of 4H, I raised pigs. Pigs are also thinking and feeling creatures, more intelligent than dogs in many ways. If you decide not to eat pork, that is your choice, but you are in no way authorized to take my bacon off my breakfast plate. The whale, which was legally hunted and eaten in 1999, was treasured and respected by everyone who ate it, and I have no doubt that this respectful, mindful eating will accompany future whale hunts.

Finally, there are those who argue that the whale hunting ritual could take place without actually killing an individual whale. Perhaps those same folks would like to attend a nearby Catholic Mass and inform the congregation that their traditional sacramental meal can take place without any actual wine or wafer.

The experience of hunting and consuming whale, a sacramental meal associated with ritual, might change over time, as Makah culture changes. Today, in some Protestant congregations grape juice is substituted for wine in the interest of avoiding alcohol. Perhaps some future

pope would make a similar change (although I think it unlikely, just as I think it unlikely that there would be a substitute for whale).

The central issue here is that Makah people have the legal right to make this decision for themselves, and all others are prohibited by treaty from interfering in the legitimate decision-making process.

By signing the Treaty of 1855, the Makah gave up many rights, but reserved for themselves those few rights that the Makah at the time deemed absolutely inalienable. Hunting whale was one of those inalienable rights.

Just as we respect the decisions of elders who drafted our Constitution, we must respect the decisions of elders, Makah and non-Makah, who drafted the 1855 treaty. That respect requires us to let the Makah make their own decisions in conjunction with the decision of the International Whaling Commission and the marine biologists, who tell us that hunting some gray whales will improve the health of the species as a whole.

**Judith Pine is a linguistic anthropologist and currently a Faculty Fellow at Pacific Lutheran University.**